

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	REQUEST DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
10/710,911	6/2/06	CARLSEN, ET AL.	6537-0404

Title: EXERCISE DEVICE

Art Unit	Paper Number
----------	--------------

Correspondence Address:

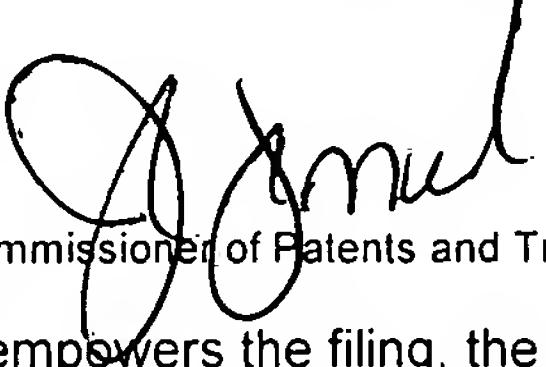
RALPH D. CHABOT  
CHABOT & ASSOCIATES  
2310 E. PONDEROSA DRIVE, SUITE 4  
CAMARILLO, CA. 93010

Licensee under 35 U.S.C. 184 is hereby granted to file in any foreign country a patent application and any amendments thereto corresponding to the subject matter of this U.S. application identified above and/or any material accompanying the petition. This license is conditioned upon modification of any applicable secrecy order and is subject to revocation without notice.

License Number: 536,522  
Grant Date: 08-Jun-06

This license is granted retroactively to the date(s) and the country(s) indicated on the attached decision.

Approved:

  
for Commissioner of Patents and Trademarks

This license empowers the filing, the causation and the authorization of the filing of a foreign application or applications on the subject matter identified above, subsequent forwarding of all duplicate and formal papers and the prosecution of such application or applications.

This license does not empower the filing of any applications, amendments, supplements or continuances originating in this country which disclose inventions, modifications, or variations not disclosed in the subject matter identified above.

This license is to be retained by the licensee and may be used at anytime on or after the date thereof. This license is not retroactive unless specifically indicated.

The grant of this license does not in any way lessen the responsibility of the licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Foreign Assets Control, Department of the Treasury; Office of Munitions Control, Department of State (with respect to Arms, Munitions and Implements of War); the Bureau of Trade Regulation, Office of Export Administration, Department of Commerce; and the Department of Energy.

#### LICENSE FOR FOREIGN FILING

[Title 35, United States Code (1952) Sections 184, 185, 186]



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND  
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

Ralph D. Chabot  
CHABOT & ASSOCIATES  
2310 E. Ponderosa Drive, Suite 4  
Camarillo, CA 93010-4747

In re: Carlsen, et al : DECISION ON REQUEST  
Serial No.: 10/710,911 : UNDER 37 CFR 5.25  
Filing date: 12 August 2004  
Docket No: 6537-0404

Title: EXERCISE DEVICE

In view of the communication(s) filed 02 June 2006, it has been determined that a retroactive license for foreign filing under 35 U.S.C. 184 be granted with respect to the filings listed below. The petition complies with 37 C.F.R. 5.25 in that there is an adequate showing that the subject matter in question was not under secrecy order, that the license was diligently sought after discovery of the proscribed foreign filing, and that the material was filed abroad without the required license under 37 C.F.R. 5.11 first having been obtained through error and without deceptive intent.

<u>Country</u>	<u>Date</u>
Taiwan	18 August 2004

Approved:

Andrea M. Valenti  
Patent Examiner  
Group 3643  
(571)272-6895

07 June 2006

# CHABOT & ASSOCIATES

2310 East Ponderosa Drive, Suite 4  
Camarillo, California 93010-4747

Telephone (805) 388-5028  
Facsimile (805) 388-5596  
Email: [info@chabotlaw.com](mailto:info@chabotlaw.com)

June 1, 2006

RECEIVED  
JUN 2 2006  
LICENSING & REVIEW

Commissioner of Patents and Trademarks  
Licensing and Review, Room 4B41  
501 Dulany Street (Knox Building)  
Alexandria, VA 22314

**Re: PETITION FOR RETROACTIVE LICENSE – (Expedited Request)**  
**(37 CFR 5.25; MPEP §140)**

Gentlemen:

Please find enclosed a Petition for a Retroactive license for Ser. No. 10/710,911 which Applicant's attorney requests be handled on an expedited basis. The pending application is due to issue June 13, 2006.

A foreign license has been previously granted, but a foreign application was filed approx 26 days before the license was granted. The technology at-issue relates to a stationary exercise machine entitled "Elliptical Exercise Device" on the patent application.

Form PTO-2038 is enclosed for payment of the necessary fees. If the payment amount of \$200.00 is insufficient, then I, the cardholder authorize that the USPTO may charge any additional amount necessary to satisfy the amount required to be paid.

If further information is required, you may contact me using the letterhead information at any time.

Sincerely,



Ralph D. Chabot  
Applicant's attorney for Ser No. 10/710,911

Encl: Petition for Retroactive License – (Expedited Request)

Please fax license  
401  
703-415-0335  
fax 703-415-0335  
BA Harris & Associates  
tele: 703-415-0606

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Carlsen et al.  
Serial No: 10/710,911  
Filed: August 12, 2004

Examiner: S. Crowe  
Art Unit: 3764

Title: Exercise Device

RECEIVED  
JUN 2 2006  
LICENSING & REVIEW

**PETITION FOR RETROACTIVE LICENSE – (Expedited Request)**  
**(37 CFR 5.25; MPEP §140)**

Commissioner of Patents and Trademarks  
Licensing and Review, Room 4B41  
501 Dulany Street (Knox Building)  
Alexandria, VA 22314

SIR:

This petition for a retroactive license is requested in accordance with 37 CFR 5.25 and MPEP §140. Expedited processing is requested because the pending US application will issue June 13, 2006. Payment of the petition fee is submitted on attached form PTO-2038. The USPTO is authorized by the cardholder to charge any additional amount necessary for this expedited request.

The following is provided:

(a) This petition is presented in accordance with §5.14(a), namely that the corresponding U.S. application is identified as follows:

Application Number: 10/710,911

Filing Date: August 12, 2004

Inventors: Steven Carlsen and Anita Liu-Miller

Title: Exercise Device

- (1) The foreign country in which the unlicensed patent application material was filed is Taiwan.
- (2) The material was filed in Taiwan on August 18, 2004.
- (3) A verified statement by Applicant's attorney is attached.
- (4) The required fee on attached form PTO-2038.

Respectfully submitted,

Dated: June 1, 2006



Ralph D. Chabot, Reg. No. 39,133  
Attorney for Applicant(s)

CHABOT & ASSOCIATES  
2310 E. Ponderosa Drive, Suite 4  
Camarillo, CA 93010-4747  
(805) 388-5028

United States Patent and Trademark Office  
- Sales Receipt -

06/05/2006 NNICHOLS 00000007 10710911

01 FC:1463

200.00 OP